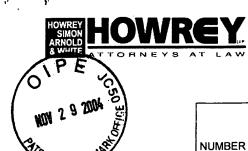
PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/839.103 TRANSMITTAL Filing Date April 23, 2001 **FORM** First Named Inventor NEWMAN, Frederick M. Art Unit 3624 (to be used for all correspondence after initial filing) **Examiner Name** KARMIS, Stefanos Attorney Docket Number 13526.0028.NPUS00 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Drawing(s) to Technology Center (TC) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ~ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): **POSTCARD** Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) POSTCARD Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Howrey Simon Arnold & White, LLP Individual name Signature Date November 29, 2004 CERTIFICATE OF TRANSMISSION/EXRESS MAILING I hereby certify that this correspondence is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" WITH sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. NUmber: EV 317619431 US Typed or printed name Matthew F. Steinheider November 29, 2004 Signature

This collection of information is required by 3L/FR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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In re Application of:

Frederic M. Newman

Serial No.: 09/839,103

Filed: April 23, 2001

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Atty. Dkt. No.: 13526.0028.NPUS00

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 9, 2004

Commissioner for Patents P.O. Box 1450 Alexandria VA, 22313-1450.

This paper is submitted in response to the Office Action dated September 9, 2004, for which the three-month date for response is December 9, 2004.

No fees are believed to be due at this time. Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/13526.0028.NPUS00. Applicant's representative authorizes the Commissioner to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 01-2508/13526.0028.NPUS00.

HOWREY SIMON **ARNOLD** & WHITE LLP

Serial No.: 09/839,103 Applicant: Newman Atty. Ref.: 13526.0028.NPUS00

I. AMENDMENTS

No amendments are being made to the claims or the specification at this time.